

10/553266

Mail Stop Amendment

Attorney Docket No. 82695

JC06 Rec'd PCT/PTO 11 OCT 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
BERGER et al.

Serial No. Not yet Assigned
Filed: October 11, 2005

Group Art Unit: Not yet known
Confirmation No.: Not yet known

For: TRANSPORTATION OF BIOLOGICAL MATTER TO A TARGET SITE IN A CLOSED
VOLUME FOR TRANSPLANTATION PURPOSES

INFORMATION DISCLOSURE STATEMENT AND TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. §1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

[X] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. §1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311.

The enclosed statement is accompanied by [check one]:

[] i. a certification in part (e) below as specified in 37 C.F.R. §1.97(e), or
[] ii. a check in the amount of \$180.00 required by 37 C.F.R. §1.17(p).

[] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311, but before payment of the issue fee.

The enclosed statement is accompanied by:

[] i. a certification in part (e) below as specified in 37 C.F.R. §1.97(e), and
ii. a check in the amount of \$180.00 required by 37 C.F.R. §1.17(p).

[] d. The enclosed statement is being filed pursuant to 37 C.F.R. §1.97(i), for placement in the file.

[] e. Certification [Check one] [Certification is required only if box (b)(I) or box (c) is checked.]

[] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

[] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

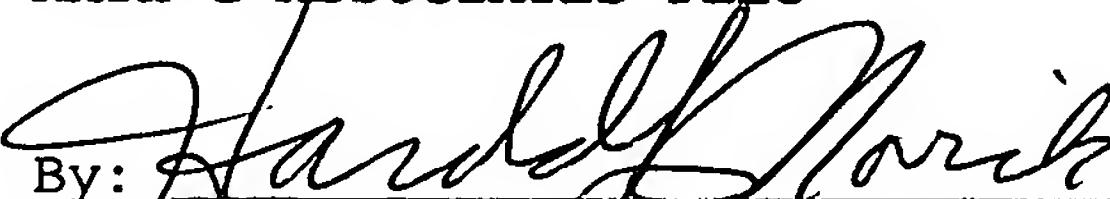
[] Appropriate certification is attached.

[x] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

A completed Form PTO-1449 and copies of those documents which are required are attached herewith. The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By: 

Harold L. Novick
Registration No. 26,011
Customer No. 20529

Date: October 11, 2005
NATH & ASSOCIATES PLLC
1030 15th Street, N.W., 6th Floor
Washington, D.C. 20005
Tel. (202) 775-8383
Fax. (202) 775-8396

FORM PTO-1449

INFORMATION DISCLOSURE CITATIONAtty Docket
82695Serial No.
53266
Not yet assigned

Applicant

BERGER et al.

Filing Date
October 11, 2005Group Art Unit
Not yet assigned

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
BA	5,916,524	06.29.99	Tisone			07.23.97
BB	5,785,926	07.28.98	Seubert			09.19.95
BC	5,707,588	01.13.98	Tsukishima			05.23.95
BD	5,629,201	05.13.97	Nugteren et al.			02.09.95
BE	5,593,893	01.14.97	Kobashi et al.			03.15.95
BF	5,204,268	04.20.93	Matsumoto			01.28.92
BG	4,971,763	11.20.90	Columbus			02.14.89
BH	US-2001/0039053	11.08.01 (Pub. Date)	Liseo et al.			07.12.01
BI	5,006,276 A	11.19.91	WANG			06.09.89
BJ	US 2003/0109849	6.12.03	HAMMER, et al.			12.10.01
BK	6,599,274 B1	07.29.03	KUCHARCZYK et al.			05.19.00
BL	6,420,186	07.16.02	BERGER et al.			10.14.98
BM	6,143,252	11.07.00	Haxo et al.			
BN						
BO						
BP						
BQ						

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

BR		
BS		
BT		

Examiner	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609.
 Draw line through citation if not in conformance and not considered.
 Include copy of this form with next communication to Applicant.

FORM PTO-1449 INFORMATION DISCLOSURE CITATION				Atty Docket 82695	Serial No. 2053266 Not yet assigned		
				Applicant BERGER et al.			
				Filing Date October 11, 2005	Group Art Unit Not yet assigned		
U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	AA	4,988,481	01.29.91	Jarvimaki et al.			01.30.89
	AB	3,982,899	09.28.76	Kelm			05.22.75
	AC	5,496,272 (corresponding to DE 44 19 726)	03.05.96	Chung et al			06.03.94
	AD	5,879,944	03.09.99	Komatsu			06.26.98
	AE	6,269,846	08.07.01	Overbeck et al.			07.24.98
	AF	6,133,045	10.17.00	Johnson et al.			02.27.98
	AG	6,079,283	06.27.00	Papen et al.			01.22.98
	AH	6,220,075	04.24.01	Papen et al.			04.30.99
	AI	6,063,339	05.16.00	Tisone et al.			09.03.98
	AJ	6,033,911	03.07.00	Schultz et al.			02.27.98
	AK	5, 927,547	07.27.99	Papen et al.			06.12.98
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub-Class	Trans-lation
	AL	89 09 141 U	30 Aug 90	DE			yes
	AM	99 18872	22 Apr 99	WIPO			N/A
	AN						
	AO						
	AP						
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	AR						
	AS						
	AT						
Examiner				Date Considered			
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							